

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6-16-08</u>
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

PEDRO RIVERA, :

Defendant. :

- - - - - x

NOLLE PROSEQUI

07 Cr. 1210 (VM)

1. The filing of this nolle prosequi will dispose of this case with respect to PEDRO RIVERA, the defendant.

2. On December 20, 2007, PEDRO RIVERA, the defendant, waived indictment and Information 07 Cr. 1210 was entered, charging RIVERA with threatening the President of the United States, in violation of Title 18, United States Code, Sections 871 and 2.

3. On April 3, 2008, the Government and PEDRO RIVERA, the defendant, entered into a deferred prosecution agreement. Under that agreement, the Government agreed to defer prosecution for a period of three months and to forgo further prosecution if the defendant abided by the terms and conditions of the agreement during that period.

4. On or about June 3, 2008, the Pretrial Services Officer informed the Government that PEDRO RIVERA, the defendant, successfully completed the period of deferred prosecution.

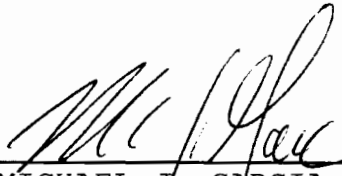
5. In light of the foregoing, I recommend that an order of nolle prosequi be filed as to defendant PEDRO RIVERA, the defendant, with respect to Information 07 Cr. 1210.



Benjamin A. Naftalis
Assistant United States Attorney
(212) 637-2456

Dated: New York, New York
June 9, 2008

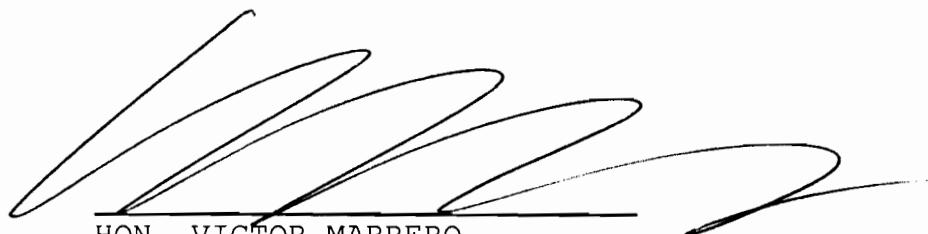
Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be filed as to PEDRO RIVERA, the defendant, with respect to Information 07 Cr. 1210.



MICHAEL J. GARCIA *MP*
United States Attorney
Southern District of New York

Dated: New York, New York
June 10, 2008

SO ORDERED:



HON. VICTOR MARRERO
United States District Judge
Southern District of New York

Dated: New York, New York
June 13, 2008